

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KENNETH A. PIRNIE,)	
)	4:05CV3266
Plaintiff,)	
)	
v.)	ORDER
)	
CATHER & SONS CONSTRUCTION, INC.,)	
)	
Defendant.)	

This matter is before the court on the parties' Stipulation (Filing No. 81). The court finds that the parties' joint stipulation should be granted.

IT IS ORDERED that the parties' Stipulation (Filing No. 81) is granted and this case is dismissed with prejudice, each party to bear his or its own costs.

DATED this 7th day of November, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge